

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JENNIFER VANDERSTOK *et al.*,

Plaintiffs,

v.

MERRICK GARLAND, in his official
capacity as Attorney General of the United
States *et al.*,

Defendants.

Case No. 4:22-cv-00691-O

DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME

Defendants respectfully move this Court for a one-week extension for Defendants to file their response to Plaintiffs' Motion for Summary Judgment (ECF No. 140) and to Intervenor-Plaintiff BlackHawk Manufacturing Group Inc. d/b/a 80 Percent Arms' Motion for Summary Judgment (ECF No. 144) (the summary judgment motions), and their cross-motion for summary judgment. In support of this motion, Defendants state as follows:

1. The summary judgment motions were filed on December 23, 2022. *See* ECF Nos. 140, 144.
2. Under the Court's Scheduling Order (ECF No. 105), Defendants' Response & Cross-Motion for Summary Judgment is presently due 45 days thereafter, or February 6, 2023.
3. Defendants require additional time to prepare their response and cross-motion for summary judgment because of the winter holidays, because the original schedule was negotiated under the expectation of responding to one summary judgment motion rather than two, and because of the press of business and other litigation.

4. Counsel for Plaintiffs Jennifer VanDerStok; Michael G. Andren; Tactical Machining, LLC; and Firearms Policy Coalition, Inc. (the original plaintiffs), as well as counsel for Plaintiffs BlackHawk Manufacturing Group Inc.; Defense Distributed; and Second Amendment Foundation, Inc. (intervenor-plaintiffs) are not opposed to this motion.

Accordingly, Defendants respectfully request that their unopposed motion for extension of time be granted.

DATED: January 5, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

ALEXANDER K. HAAS
Director, Federal Programs Branch

LESLEY FARBY
Assistant Director, Federal Programs Branch

/s/ Daniel Riess
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CERTIFICATE OF CONFERENCE

I certify that I have conferred with Plaintiffs' counsel to obtain their position on this motion. Counsel for both the original plaintiffs and intervenor-plaintiffs have stated that they are not opposed to the relief sought in this motion.

/s/ Daniel Riess

CERTIFICATE OF SERVICE

On January 5, 2023, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Daniel Riess